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California Regional Water Quality Control Board Central Valley Region

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22 March 2006

Elliot Graham
Busby Vineyard and Winery, LLC
P.O Box 215
Somerset, CA 95684

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 BUSBY VINEYARDS AND WINERY, LLC, EL DORADO COUNTY

Regional Board staff have reviewed your 10 March 2006 Report of Waste Discharge (RWD) for coverage under Regional Board Resolution No. R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included a Notice of Non-Applicability for compliance with the Industrial Stormwater General Permit and an \$872 filing fee. Our review finds the RWD to be complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed) is a conditional waiver of waste discharge requirements for small food processors, including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of grapes crushed and wastewater produced.

Discharge Description

Busby Vineyards and Winery, LLC (Discharger) will own and operate a new winery (Busby Vineyard and Winery) located at 6375 Grizzly Flat Road in Somerset, El Dorado County. The vineyard and winery are situated on a 34-acre parcel of land, 12 acres of which is planted with grape vines. The Discharger estimates that approximately 25 tons of grapes will be processed annually, generating approximately 7,750 to 10,000 gallons of wastewater annually. All activities producing wastewater will be conducted under the cover of a permanent roof structure and/or inside a covered building. Process wastewater and leachate from drying of winery waste solids will be conveyed into a series of floor drains and piped to a 12,000 gallon underground concrete storage tank. The Discharger will inspect the storage tank on a daily basis to determine when that tank needs to be emptied. Wastewater will be hauled off site by a licensed wastewater hauler (i.e., Sweet Septic, Inc.) to an approved wastewater disposal facility.

Solid waste produced by the facility consists of grape stems and pomace (skins, seeds, and grape solids). Stems will be temporarily stored in a ventilated food grade plastic bin located under a covered permanent roof structure. Within a 2 to 5 day period, the stems will be transported to the vineyards and placed in a fertilizer spreader, and spread evenly on hillsides, vineyard tractor roads, and other unpaved roads for the purpose of erosion control. Solid waste generated from pressing of grapes will be placed in a ventilated tank, which is located over one of the floor drains in the processing area. Any free liquids from the pomace will drain out of the tank and into the floor drain beneath the tank. Once pomace is

dried, it will be placed in a fertilizer spreader and transported to the vineyard for disposal. Pomace will be spread throughout the 12-acre vineyard.

Conditional Waiver

Based on the information submitted in the RWD, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the method of wastewater and solid waste disposal. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual report that contains the information described in Item Nos. 3 and 5 of the monitoring and reporting program must be submitted by **1 February of each year**.

If the discharge violates the terms or conditions of the waiver, the Regional Board may take enforcement action, including assessment of administrative civil liability. If the method of winery wastewater and solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with filing fee to renew the waiver, or cease the discharge.

If you have any questions, please contact Scott Kranhold at (916) 464-4689.

-Original Signed by-

PAMELA C. CREEDON
Executive Officer

Enclosure: General Order No. R5-2003-0106

cc w/o enc: Gerri Silva, El Dorado County Environmental Health Department, Placerville
El Dorado County Planning Department, Placerville